

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION (JOFOC)**  
(In accordance with Federal Acquisition Regulation (FAR) 6.3 - Other than Full and Open Competition)

1. **This document is a justification for other than full and open competition prepared by NASA's Goddard Space Flight Center:**

NASA GSFC's Wallops Flight Facility (NASA GSFC's WFF) proposes to extend contract number NAS5-98020 with Northrop Grumman to provide continuity for the sounding rocket mission for the annual 2010 Poker Flat, Alaska cold weather campaign as well as other on-going missions. NASA GSFC's WFF proposes to extend the existing contract to provide program continuity until the competitive follow-on contract is awarded. This document is the justification for the determination for using other than full and open competition.

2. **The nature and/or description of the action being approved:**

This justification for other than full and open competition is to allow for 1 year extension of contract number NAS5-98020 with Northrop Grumman for NASA Sounding Rocket Operations Contract (NSROC) until June 30, 2010. A deviation was approved on May 14, 2009, by NASA Headquarters from NFS 1817.204(e)(i) providing the authority to extend the contract for an additional 1 year period.

The NSROC, contract number NAS5-98020, was awarded to Litton PRC on February 1, 1999, as a result of a competitive procurement. Litton PRC was subsequently purchased by Northrop Grumman in 2004 and is now designated as the NSROC contractor. The current contract is a 10 year 5 month, cost plus incentive/award fee, indefinite delivery, indefinite quantity contract. The current contract terminates on June 30, 2009.

3. **Description of the supplies or services required, including an estimated value:**

The scope of work of the existing contract requires the contractor to implement all of the sounding rocket missions for NASA's Sounding Rocket Program (NSRP). Among other things, this includes the formulation, design, fabrication, testing, and launch of approximately 20 to 30 suborbital rockets annually. The contract also supports the electrical fabrication, mechanical fabrication, and environmental testing requirements of NASA GSFC's WFF as a whole.

The contract's current maximum ordering value is \$573M. The projected estimated contract value through June 30, 2009, is [REDACTED]. The additional estimated value to complete the work under the contract from July 1, 2009 through June 30, 2010 is [REDACTED], resulting in a total estimated contract value by the end of the extension period of [REDACTED]. There is no concern that the maximum expenditure of the existing contract and the proposed extension will exceed the currently defined maximum ordering value.

4. **Statutory authority permitting other than full and open competition:**

The applicable statutory authority permitting other than full and open competition is

10 U.S.C. 2304 (c)(1), as cited under FAR 6.302-1, Only One Responsible Source, and no other supplies or services will satisfy Agency requirements.

**5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition require use of the authority cited:**

A sole source award to Northrop Grumman for the contract extension is necessary due to the need for technical and management continuity for the in-progress flight missions associated with the Fiscal Year 2010 winter campaign. The NSRP supports heliophysics missions that involve auroral activity that is best studied during the months of January, February and March. As such, the program conducts yearly campaigns at northern latitudes with multiple rocket missions launched during this annually scheduled (January through March) event. For the FY 2010 winter campaign, there are multiple missions scheduled to be launched from Poker Flat, Alaska and Andoya, Norway during this period. It will be necessary for the NSROC contractor to be in the field at both of these remote locations during this period to support the launch operations by providing launch vehicle buildup and staging support, payload assembly and testing support, mission management support, and a variety of technical support functions required to conduct the actual launch operations. Intensive preparation activities for each mission will also be completed during the September through December timeframe preceding the launches. It is critical to mission success that the technical support teams assigned to each of these missions remains consistent throughout these preparation and launch operations periods. The loss of mission specific knowledge associated with the substitution of new staff members onto any one of these technical support teams during these critical operations would significantly increase the risk of mission failure, resulting in a total loss of NASA's investment in the mission (typically more than \$1M) plus the additional cost associated with the resulting Class A Failure Investigation. Multiple additional launch operations will also be scheduled to be conducted from remote facilities located at White Sands Missile Range during this same timeframe.

This extension request will ensure the continuity of critical mission support necessary to accomplish the FY 2010 winter campaign activities at Poker Flat Research Range, Andoya Rocket Range, and White Sands Missile Range without interruption of service or increased programmatic risks.

**6. Description of the efforts made to ensure that offers are solicited from as many potential sources as practicable:**

A notice to the Federal Business Opportunities (FedBizOpps) was published on May 15, 2009, as required by FAR Subpart 5.2. The results of the synopsis are included in paragraph 10.

**7. A determination by the Contracting Officer (CO) that the anticipated cost to the Government will be fair and reasonable:**

There will be no increase to the maximum ordering value of this contract. The individual task orders affected by this extension will be revised to reflect the change in the period of performance along with the associated costs. The revised task orders will be determined fair and reasonable based on historical cost information and the independent Government estimate. Additionally, the CO and the Contracting Officer Technical Representative will review and

analyze all revised tasks in order to negotiate their revised values and determine them to be fair and reasonable. The original contract cost was determined fair and reasonable based on competition.

**8. Description of the market survey conducted, and the results, or a statement of the reasons why a market survey was not conducted:**

A notice to FedBizOpps was published on May 15, 2009, to announce NASA GSFC's intentions to award a sole source contract. The results of the synopsis are documented in paragraph 10.

Implementation of NSRP's Sounding Rockets Program requires a wide breadth of highly specialized knowledge. There is no known company that has the ability to establish a viable management support structure that will effectively transition the in-progress operations for the Sounding Rockets Program's 2010 annual winter campaign without causing unacceptable mission disruption and programmatic risk. In order to acquire the requisite knowledge, substantial interactions with NASA's GSFC's/WFF Sounding Rocket Program Office and Applied Engineering and Technology Directorate would be necessary and their limited resources do not currently provide for this capability. Further formal market research was not conducted for this action as this would be a duplication of effort that was conducted for the NSROC follow-on competition. A sources sought notice was posted for NSROC II on July 2, 2007, with a revision September 12, 2007, to conduct market research to determine capabilities from all potential sources.

**9. Other facts supporting the use of other than full and open competition:**

Northrop Grumman has demonstrated the ability to successfully perform under the current contract.

The current NSROC expires June 30, 2009. The Draft Request for Proposal (RFP) for the follow-on contract was released on April 15, 2009. Any alternative contract initiative would require diversion of the same resources now working on the follow-on contract, thus stifling that effort resulting in its further delay. An alternate contract initiative would result in an additional disruptive contract transition for a relatively short contract period of performance and there would be additional costs associated with the extra procurement activity from the extra phase-in period, resulting in increased costs to the Government of approximately [REDACTED] that would not be recovered.

This extension includes time for demobilization and the return of equipment and employees to Wallops.

Additionally, this extension will allow for a continuation of current task orders already issued, for modifications to existing task orders, for the issuance of new task orders until the follow-on contract is awarded, and for the orderly completion of all the procurement and phase-in activities associated with establishing the follow-on contract. Lastly, scheduling the start date for the new contract in July of 2010 will also decouple contract transition activities from the annual northern latitude campaigns for future contracts thus minimizing the risks associated with potential staffing discontinuities and interruptions of service.

**10. Sources, if any, that expressed an interest in writing in the acquisition:**

A notice was published to FedBizOpps on May 15, 2009, announcing NASA's GSFC's intentions to award a sole source contract extension. Firms desiring consideration were requested to fully identify their interest and capabilities within 15 days of the date of publication of the synopsis. No responses were received.

**11. State the actions, if any, that the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services are required:**

The agency has already taken all viable steps to promote competition on subsequent acquisitions. The Draft RFP for the follow-on contract, NSROC II was released on April 15, 2009. Therefore, the increased duration of the existing contract will ensure that a full 60 day phase-in period can occur after completion of the remote campaign operations allowing any potential transition to be smoother as it will take place between the critical periods associated with the campaigns. This should mitigate risk for the non-incumbent offerors as well as enhance the potential for competition.